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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION**

Case No. 3:23-md-03084-CRB

**PLAINTIFFS' STATEMENT
CONCERNING APPOINTMENT OF A
SPECIAL SETTLEMENT MASTER**

This Document Relates to:

Judge: Hon. Charles R. Breyer
Courtroom: 6 – 17th Floor

ALL ACTIONS

Date: November 3, 2023
Time: 11:00 a.m.

1 **PLAINTIFFS' SUBMISSION CONCERNING APPOINTMENT OF A SPECIAL**
 2 **SETTLEMENT MASTER**

3 In accordance with the Court's Pretrial Order No. 1, dated October 6, 2023, the undersigned
 4 Plaintiffs respectfully suggest the following mediators as candidates to serve as special settlement
 5 master in this litigation. All of these mediators have handled cases involving allegations of sexual
 6 assault and sexual harassment. The following are their posted biographies from their mediation
 7 profiles.

8 1. **Cathy Yanni** is a full time specialist in ADR. Since joining JAMS in 1998, she has
 9 settled thousands of cases. Her practice includes mediation and Special Master work. Cathy Yanni's
 10 substantive knowledge, her focused attention to detail, and her persistent follow up are the keys to her
 11 high success. Ms. Yanni has regularly been included on the "National Mediators" List, Chambers USA
 12 since 2019, where she is acknowledged for her "high-quality' reputation." Sources also praise her
 13 ability to "maintain good relations and credibility with both sides." Chambers USA (2020).

14 2. **Hon. Jay C. Gandhi (Ret.)** is known for his thorough, insightful, and candid approach
 15 to every engagement. The parties turn to Judge Gandhi to resolve complex disputes. For instance,
 16 Judge Gandhi presided over the \$1 billion public-entity settlement involving PG&E and the California
 17 wildfires, the \$725 million class action settlement accusing Facebook of allowing third parties,
 18 including Cambridge Analytica, to access users' private information, and the \$648 million class action
 19 settlement over environmental contamination from polychlorinated biphenyls, or PCBs, made by the
 20 Monsanto Company. Judge Gandhi also specializes in sensitive, high-stakes commercial disputes, such
 21 as financial litigation (including with federal and state regulators), contractual and employment
 22 matters, and intellectual property and trade secret thefts, amongst others.

23 Judge Gandhi previously served for eight (8) years as a United States Magistrate Judge for the
 24 Central District of California, the nation's largest federal court. He received multiple honors for his
 25 judicial qualities and skills and oversaw the Court's Alternative Dispute Resolution program. Judge
 26 Gandhi was also an active, hands-on trial judge while on the Court. Before the bench, Judge Gandhi
 27 was a partner at Paul Hastings LLP. He spent 12 years litigating commercial cases and MDL/class
 28 actions in a variety of state and federal jurisdictions across the country.

1 3. For over 35 years, **Kenneth R. Feinberg** has been involved in resolving some of the
 2 nation's most protracted, complex, and emotional disputes involving a wide range of interests and
 3 clients. Mr. Feinberg is publicly recognized as redefining the practice of law, bringing opposing sides
 4 of legal disputes together. He is one of the nation's foremost mediators, arbitrators, and experts in
 5 other forms of alternative dispute resolution and negotiation strategy. From cases that affect only a
 6 few, to the largest, most complex disputes of our time, the Firm consistently bridges the gap between
 7 parties by creating imaginative and satisfying solutions. Most notably he served as Special Master of
 8 the Federal September 11 Victim Compensation Fund.

9 Mr. Feinberg is consistently retained by Fortune 500 companies, nationally recognized plaintiff
 10 counsel, insurers, government agencies, and state and federal courts to design, implement, and
 11 administer innovative and sophisticated settlement solutions. Serving either as a neutral or as
 12 settlement counsel to one of the parties, Mr. Feinberg provides services for all stages of dispute
 13 resolution: helping the parties achieve a comprehensive resolution of the dispute, devising strategies
 14 for a cost-effective settlement, designing systems and criteria to implement settlement terms, and
 15 developing distribution plans to achieve maximum benefits for all parties.

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17 **4. Hon. William F. Downes (Ret.)** has successfully resolved disputes over diverse practice
 18 areas including energy, personal injury and professional liability. Drawing upon his 17 years of
 19 experience as a federal judge in the U.S. District Court of Wyoming, Judge Downes brings to his ADR
 20 practice a great deal of insight on the legal process and numerous subject matters, enabling him to
 21 efficiently guide parties to settlement.

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Judge Downes handles high profile cases in multiple states and he is known for his attentive,
 reasonable, and focused manner. He is praised by counsel for being extremely prepared and having a
 quick grasp of complex issues. Judge Downes has an innate ability to understand the reputations,
 emotions, and ongoing dynamics of a dispute, while still focusing the parties on resolution.

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DATED: November 3, 2023

Respectfully Submitted,

LEVIN SIMES LLP

/s/ William A. Levin

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WILLIAMS HART & BOUNDAS, LLP

/s/ John Eddie Williams

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/s/ Stephen J. Estey

Stephen J. Estey
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CUTTER LAW, P.C.

/s/ C. Brooks Cutter

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CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2023, I electronically filed the above document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

By:/s/ Celine E. Cutter